

Paper No. 1559
Disposes of
Paper No. 1549

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
SITTING AT TOKYO, JAPAN

Case No. 1

THE UNITED STATES OF AMERICA, et al	} ORDER } GRANTING WITHDRAWAL FROM } THE FILES OF THE TRIBUNAL } OF IPS DOCUMENT NO. 1744, } A BOOK ENTITLED } "DOCUMENTS OF THE } NANKING SAFETY ZONE"
- vs -	
ARAKI, Sadao, et al	

This matter coming on to be heard this 12th day of February, 1948, before the Honorable Sir William Webb, President of the Tribunal, upon the application of the Prosecution for leave to withdraw from the files of the Tribunal the volume designated as IPS Document No. 1744, being a book entitled "Documents of the Nanking Safety Zone", edited by Shuhsi Hsu, excerpts from which book were offered and received in evidence and are now Court Exhibit No. 323, the reasons for said requested withdrawal being fully set forth in said application which is Paper No. 1549, and the Tribunal having heard the statements and arguments of counsel for the Prosecution, and being fully advised in the premises, And it appearing to the Tribunal that no substantial injustice or prejudice to the rights of the Prosecution or the Accused, or any of them, will result from the withdrawal of said IPS Document No. 1744 and the return thereof to the source from which it was obtained;

And it further appearing that the Defense has interposed no objection thereto, it is

ORDERED: That said application be and it hereby is granted; and it is further

ORDERED: That IPS Document No. 1744, being a book entitled "Documents of the Nanking Safety Zone", edited by Shuhsi Hsu, be withdrawn from the files of the Tribunal forthwith and returned to Dr. C. L. Boynton in Shanghai, China, from whom it was obtained by the Prosecution, upon the express term and condition, however, that said book shall be returned to the Tribunal upon 48 hours' notice in the event that either the Tribunal or the Prosecution or the Defense should require it for the purpose of this trial; and it is further

ORDERED: That Court Exhibit No. 323, which is the excerpts from said book which have been admitted into evidence, shall remain in the files and records of the Tribunal and that this order in no respect affects the status of Court Exhibit No. 323.

BY THE TRIBUNAL:

(signed) W. F. Webb
PRESIDENT